UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

LORI ZARLENGA BLAQUIERE

v. **C.A. NO. 06-534 ML**

EDWARD A. CHARBONEAU, et al.

OBJECTION TO PLAINTIFF'S OBJECTION AND MOTION FOR RECONSIDERATION

Now come the defendants, Attorney General Patrick C. Lynch, Governor Donald Carcieri, Trooper Arthur Kershaw, Assistant Attorney General Alan Goulart, Assistant Attorney General Stacy Veroni, and Speaker William Murphy and object to Plaintiff's Objection and Motion for Reconsideration filed in this matter.

Respectfully submitted,

Attorney General Patrick C. Lynch,
Governor Donald Carcieri, Trooper Arthur Kershaw, Assistant Attorney General Alan Goulart, Assistant Attorney General Stacy Veroni, and Speaker William Murphy

By Their Attorneys,

/s/ Rebecca Tedford Partington
/s/ Genevieve Allaire-Johsnon

Rebecca Tedford Partington, #3890
Assistant Attorney General
Genevieve Allaire-Johnson, #5778
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CERTIFICATION

I hereby certify that I mailed a true copy of the foregoing by first class mail, postage prepaid to Lori Zarlenga Blaquiere, 101 Border Street, West Warwick, RI 02893 on this 26th day of April, 2007.

/s/ *Rebecca Tedford Partington*

Rebecca Tedford Partington, #3890

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MEMORANDUM IN SUPPORT OF OBJECTION TO PLAINTIFF'S OBJECTION AND MOTION FOR RECONSIDERATION

Plaintiff has filed what is denominated as an "Objection and Motion for Reconsideration", seeking to have this Court revisit an Order entered on April 11 2007 denying a 60 day extension of time. The Motion should be denied, as it lacks merit.

The Federal Rules do not allow for a "Motion to Reconsider." Rather, the term is shorthand for motions brought under either Fed.R.Civ.Proc. 59(e) or 60. Motions for reconsideration are entertained by courts only if they seek to correct manifest errors of law or fact, present newly discovered evidence, or when there is an intervening change in the law. *See*, Standard Quimica De Venezuela v. Central Hispano Int'l., Inc., 189 F.R.D. 202 (D.P.R. 1999), *and cases cited therein*. Rule 60 applies only in "unusual and extreme situations" Jinks v. AlliedSignal Inc, 250 F.3d 381, 387 (6th Cir. 2001), citing Olle v. Henry & Wright Corp., 910 F.2d 357, 365 (6th Cir. 1990). None of the scenarios described above existed in this case. Rules 59 and 60 "allow a litigant subject to *an adverse judgment* to file either a motion to alter or amend the judgment [under either Rule 59 or 60]." Perez-Perez v. Popular Leasing Rental, Inc., 993 F.2d 281 (1st. Cir. 1993)(emphasis added). In this case, there was no "judgment" subject to such a motion, and plaintiff has not shown sufficient grounds to support such a motion. She is obviously able to file pleadings with this Court, as evidenced by the record in this case.

For the foregoing reasons, these Defendants request that the instant Motion be denied.

Respectfully submitted,

Attorney General Patrick C. Lynch,
Governor Donald Carcieri, Trooper Arthur
Kershaw, Assistant Attorney General Alan
Goulart, Assistant Attorney General Stacy
Veroni, and Speaker William Murphy

By Their Attorneys,

/s/ Rebecca Tedford Partington
/s/ Genevieve Allaire-Johsnon

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